



State of Utah

Department of
Environmental Quality

Richard W. Sprott.
Executive Director

DIVISION OF WATER QUALITY
Walter L. Baker, P.E.
Director

Water Quality Board
Joe Piccolo, *Chair*
Paula Doughty, *Vice-Chair*
David F. Echols
Darrell H. Mensel
LeLand J. Myers
Richard W. Sprott
Jay Ivan Olsen
Gregory L. Rowley
Steven P. Simpson
Merritt K. Frey
Daniel C. Snarr
Walter L. Baker,
Executive Secretary

JON M. HUNTSMAN, JR.
Governor

GARY HERBERT
Lieutenant Governor

MINUTES

UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY

UTAH WATER QUALITY BOARD

168 North 1950 West Room 101

Salt Lake City, Utah 84116

Friday, May 16, 2008

UTAH WATER QUALITY BOARD MEMBERS PRESENT

Paula Doughty	Jay Olsen
Leland Myers	Steve Simpson
Darrell Mensel	Joe Piccolo
Gregory Rowley	Daniel Snarr
Merritt Frey	

ABSENT: Dave Echols and Rick Sprott

DIVISION OF WATER QUALITY STAFF MEMBERS PRESENT

Walt Baker, Faye Bell, Ed Macauley, Lisa Nelson, Emily Canton, Jen Robinson, Jim Harris, Shelly Andrews, Lonnie Shull, Leah Ann Lamb, John Kennington

OTHERS PRESENT

<u>Name</u>	<u>Organization Representing</u>
Zan Murray	J-U-B Engineers
Kelly Field	Lewiston City Mayor
Glen Mann	Hach
Fred Nelson	Attorney Generals Office
Dave Jensen	Attorney Generals Office

Chair Piccolo called the Board meeting to order at 10:10 a.m. He welcomed those in attendance and invited the members of the audience to introduce themselves.

APPROVAL OF MINUTES OF THE APRIL 2, 2008 MEETING

Motion: It was moved by Mr. Simpson and seconded by Ms. Frey to approve the minutes of the April 2, 2008 Board. The motion was unanimously approved.

Executive Secretary's Report: Mr. Baker told the Board that the two committees, The Great Salt Lake Selenium Science Panel and the ~~Science Panel~~ Steering Committee are soon to wrap up the study they have been working on the past four years. On May 20th an open house is being held from 6-8 p.m. to present their

findings. Then on May 29th the Steering Committee will meet one last time to discuss the final proposal it will present to the Board.

RULEMAKING

Request to Initiate Rulemaking, R317-8-8 Pretreatment Program: Ms. Robinson is requesting the Board's approval to initiate rulemaking regarding the pretreatment portion of R317-8. The rule was previously presented to the Board April 2, 2007. Since that time additional changes have been made in response to the comments received from the Board during the April Board meeting and from the EPA. The changes included formatting, rule reference and grammatical corrections. Comments made by EPA resulted in a change requiring that one public notice be held, provided no comments are received and no further changes are made to the proposed rule.

Motion: **It was moved by Mr. Myers to approve staff's request to initiate rulemaking on R317-8-8. The motion was seconded by Ms. Frey and was unanimously approved.**

LOAN PROGRAM

Financial Assistance Status Report – Ms. Canton updated the Board on the “Summary of Assistance Program Funds,” as outlined on page 3.1. The Board would like to see a list of projects known to be actively engaged in planning wastewater improvements and a priority list of unsewered communities and outstanding advances.

Lewiston City request for a Hardship Planning Advance: Mr. Macauley introduced Mayor Kelly from Lewiston City and Zan Murray with J-U-B Engineering. Lewiston City is requesting a Hardship Planning Advance in the amount of \$71,000 to prepare a Capital Wastewater Treatment and Collection System Master Plan. Lewiston City is undertaking this planning effort to establish the municipal utility infrastructure capital improvements, upkeep and/or interlocal agreements needed for the next 20 years, and in recognition of the potential impacts that the Cub River TMDL may have on the community's wastewater treatment needs. The likelihood that this project will lead to an additional request for construction funds is high. Staff recommends that the Water Quality Board authorize a \$71,000 Planning Advance to Lewiston City to prepare a wastewater capital facilities master plan.

Motion: **It was moved by Mr. Myers to approve staff's request to advance Lewiston City a \$71,000 Hardship Planning Advance. The motion was seconded by Mr. Snarr and was approved. Mr. Olsen opposed the motion.**

OTHER BUSINESS:

Enforcement Status Report: Mr. Shull presented to the Board a status report of the DWQ Active Enforcement Actions which have occurred the past three years.

Statement of Qualification to perform a state-wide nutrient study: Mr. Macauley presented to the Board in behalf of John Mackey an upcoming recommended study of the Economic Impacts from Potential Statewide Nutrient Discharge Standards. There is interest nationally by some groups to require EPA to establish technology-based treatment standards for phosphorus and nitrogen. Although there is not currently a regulatory initiative to establish such standards, we believe it will be important for the legislature, municipalities and districts to understand the potential. Staff anticipates that qualified firms will be short-listed and the selection process completed in August 2008. These preparatory efforts will contribute substantially to the overall success of the proposed study. It is anticipated that the study will

require 18-24 months to complete. Staff will present a request for funding for the proposed study at a future Board meeting.

NEXT MEETING:

Friday, June 20, 2008 in Room 101 at the DEQ Building. The work meeting will begin at 9:00 AM followed by the formal Board meeting scheduled to begin at 10:00 AM.

Joe Piccolo, Chairman
Utah Water Quality Board